

LEGISLATIVE BILL 877

Approved by the Governor April 2, 2024

Introduced by Holdcroft, 36; Bostar, 29; Lippincott, 34; Ballard, 21.

A BILL FOR AN ACT relating to assessment of property; to amend sections 77-1344 and 77-1347, Revised Statutes Supplement, 2023; to change provisions relating to the special valuation of agricultural or horticultural land; to repeal the original sections; and to declare an emergency.
Be it enacted by the people of the State of Nebraska,

Section 1. Section 77-1344, Revised Statutes Supplement, 2023, is amended to read:

77-1344 (1) Agricultural or horticultural land which has an actual value as defined in section 77-112 reflecting purposes or uses other than agricultural or horticultural purposes or uses shall be assessed as provided in subsection (3) of section 77-201 if the land meets the qualifications of this subsection and an application for such special valuation is filed and approved pursuant to section 77-1345. In order for the land to qualify for special valuation, the land shall ~~must~~ be agricultural or horticultural land and (a) the land shall ~~must~~ consist of five contiguous acres or more or (b) if the land consists of less than five contiguous acres, the owner or lessee of the land shall provide an Internal Revenue Service Schedule F or other suitable tax document reporting a profit or loss from farming for two out of the last three years for such land.

(2) The eligibility of land for the special valuation provisions of this section shall be determined each year as of January 1. If the land so qualified becomes disqualified on or before December 31 of that year, it shall continue to receive the special valuation until January 1 of the year following.

(3) The special valuation placed on such land by the county assessor under this section shall be subject to equalization by the county board of equalization and the Tax Equalization and Review Commission.

Sec. 2. Section 77-1347, Revised Statutes Supplement, 2023, is amended to read:

77-1347 Upon approval of an application, the county assessor shall value the land as provided in section 77-1344 until the land becomes disqualified for such valuation by:

(1) Written notification by the applicant or his or her successor in interest to the county assessor to remove such special valuation;

(2) Inclusion of the land within the corporate boundaries of any sanitary and improvement district, city, or village, except that this subdivision shall not apply on or after January 1, 2023;~~or~~

(3) The land no longer qualifying as agricultural or horticultural land;
or ~~or~~

(4) For land that consists of less than five contiguous acres, the owner or lessee of the land not providing an Internal Revenue Service Schedule F or other suitable tax document reporting a profit or loss from farming for two out of the last three years.

Sec. 3. Original sections 77-1344 and 77-1347, Revised Statutes Supplement, 2023, are repealed.

Sec. 4. Since an emergency exists, this act takes effect when passed and approved according to law.